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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

3 | UNITED STATES OF AMERICA,

4 Plaintiff,

5 | VS.

6 MICHAEL RICHARD LYNCH AND STEPHEN KEITH CHAMBERLAIN

Defendants

**CASE NO. 3:18-cr-00577-CRB**

**DEFENDANT CHAMBERLAIN'S  
REPLY IN SUPPORT OF  
MOTIONS FOR RULE 17(c)  
SUBPOENAS**

Date: December 1, 2021

Date: December  
Time: 1:30pm

Crtrm.: 6

Assigned to Hon. Charles R. Brever

1           The government does not oppose Chamberlain's two Motions for Issuance of  
 2 Rule 17(c) Subpoenas (ECF Nos. 81 and 87). Resp. at 3. The Government suggests  
 3 three "refinements" to the applications: (1) the period for subpoena recipients to  
 4 respond be extended to at least 90 days from the date of service; (2) responsive  
 5 documents be produced to the Court, which in turn will provide them to the parties;  
 6 and (3) the document subpoenas be converted to joint subpoenas for documents and  
 7 trial testimony.

8           The parties met and conferred on November 22, 2021 and have reached  
 9 agreement on all three of the government's suggestions, as follows:

10          First, with respect to length of time to respond, the parties have agreed that  
 11 the subpoenas should require compliance within 45 days. If a subpoena recipient  
 12 needs more time to comply, such party may seek an accommodation from  
 13 Chamberlain (or if necessary, from the Court).

14          Second, the parties agree that the subpoena recipients should provide  
 15 documents to the Court (or to simultaneously produce such documents directly to  
 16 the Chamberlain and the government), and that the same procedure will be followed  
 17 in connection with any subpoenas issued in connection with the government's own  
 18 motion for Rule 17(c) subpoenas (ECF No. 91). (The form CAND 89B subpoenas  
 19 already command the subpoena recipient to produce documents at the courthouse.)

20          Third, the parties agree that the document subpoenas need not be converted to  
 21 joint subpoenas for documents and trial testimony.

22          For these reasons, the Court should issue the subpoenas proposed by  
 23 Chamberlain with the revision that the initial date for compliance be set for 45 days  
 24 from service. Chamberlain has submitted a proposed order attaching the requested  
 25 subpoenas with the revised return date.

26          Chamberlain has also submitted (attached to the same proposed order) revised  
 27 proposed letters rogatory, which we respectfully request that the Court execute and  
 28 direct the Clerk of the Court to transmit directly to the U.K. Central Authority, in

1 accordance with 28 U.S.C. 1781(b) (authorizing the district court to directly transmit  
2 letter rogatory requests to the relevant foreign authority). The U.K.-U.S. Mutual  
3 Legal Assistance Treaty of 1994 and the U.K. Crime (International Co-operation)  
4 Act of 2003 provide that the appropriate U.K. authority to receive letter rogatory  
5 requests in criminal matters is the U.K. Home Office. Therefore, Chamberlain  
6 respectfully requests that the letters rogatory be transmitted to that agency, as  
7 reflected in the proposed order.

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9 DATED: November 29, 2021

Gary S. Lincenberg

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Bird, Marella, Boxer, Wolpert, Nessim,  
Drooks, Lincenberg & Rhow, P.C.

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By:



14 Gary S. Lincenberg

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Attorneys for Defendant Stephen Keith  
Chamberlain

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